

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION

Annie Mason Benson,	)	CA No. 8:10-497-JMC
	)	
Plaintiff,	)	
	)	
vs.	)	<b>AMENDED</b>
	)	<b>SCHEDULING ORDER</b>
	)	
Sallie Mae,	)	
	)	
Defendant.	)	

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, the following schedule is established for this case. Discovery may begin upon receipt of this order.

1. Discovery shall be completed no later than **March 30, 2011**. Discovery shall be deemed completed within this time only if discovery is initiated at such time as to afford the responding party the full time provided under the applicable rule of the Federal Rules of Civil Procedure in which to respond prior to the discovery completion date noted in this paragraph.

**(The parties may, with the consent of all counsel, conduct discovery up to the time of trial, provided the deadlines in this order are not affected.**

2. All other motions, except (a) those relating to the admissibility of evidence at trial and (b) those to compel discovery, shall be filed no later than **April 13, 2011** (Fed. R. Civ. P. 16(b)(2)). See below ¶ 4 for motions in limine deadline.
3. No later than **July 1, 2011**, the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) pretrial disclosures. Within fourteen (14) days thereafter, a party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections, any objections to use of a deposition designated by another party and any deposition counter-designations under Fed. R. Civ. P. 32(a)(4).
4. Motions in limine must be filed two weeks prior to jury selection.
5. Parties shall furnish the Court pretrial briefs seven (7) days prior to the date set for jury selection (Local Civil Rule 26.05). Attorneys shall meet at least seven (7) days prior to the date set for submission of pretrial briefs for the purpose of exchanging and marking all exhibits. See Local Civil Rule 26.07.

6. This case is subject to being called for jury selection and trial on or after **August 2, 2011**.

**A request for a continuance of the trial date must be agreed to and signed by the party and his attorney requesting and/or consenting to the continuance.**

**The court directs the parties' attention to Local Rule 7.00 which governs motion practice. Hearings on motions are not automatic. The court may decide motions without a hearing. If a party opposes a motion which has been filed, that party must file a response to the opposed motion within fifteen (15) days of the date the motion was filed. If no such response in opposition is filed, the court will assume that the party consents to the court's granting the motion.**

**Any motions pending on the date of the Bar Meeting *will be heard at the Bar Meeting* and you should be prepared to argue them at that time.**

**NOTICE: You are expected to be available for trial of this case during the month of August 2011 unless the court notifies you of a later date. If you presently have a conflict during the month of August, notify the court in writing within seven (7) days of the date of this order. You will not be excused without leave of court.**

s/ J. Michelle Childs  
United States District Judge

December 15, 2010  
Greenville, South Carolina

Pursuant to Local Civil Rule 83.I.08, this order is being sent to local counsel only.

The following referenced documents can be found at [www.scd.uscourts.gov](http://www.scd.uscourts.gov):

- 1) Rule 26(f) Report
- 2) Notice of Availability of United States Magistrate Judge